

Serial No. 09/932,971
Examiner: FLEMING, Faye M.
Art Unit 3616

Page 6 of 7

REMARKS

By this amendment, claims 1-2, 8, 16-22, 26-28, 33-35, 49-50, 52-71 have been cancelled; claims 72-78 have been added; and claims 3-7, 9-15, 23-25, 29-32, 36-48, 51 have been amended. Claims 9-14, 18-19 are withdrawn from consideration as being drawn to a non-elected species.

Claims 3-7, 9-15, 23-25, 29-32, 36-48, 51, 72-78 are now pending in the application. Reconsideration and allowance of all of the claims are respectfully requested in view of the foregoing amendment and the following remarks.

With a view to simplifying (and advancing)) the prosecution of the application, Applicants have made several changes to the claims. These changes are not in response to any of the Examiner's claim rejections or objections, and no surrender of subject matter is intended thereby. Applicants intend to file continuing applications on at least some subject matter no longer claimed in the present application.

Specifically in this regard, one of the changes is that all of the independent claims of the application have been cancelled and new independent claim 72 has been added. This claim is now the sole independent claim present in the application and all other claims have been amended to be depend, either directly or indirectly, therefrom, or have been cancelled. Claim 72 is directed to an all-terrain vehicle and thus all other claims remaining in the application have been amended to recite an all-terrain vehicle as well.

Claim 72 is broader in scope than the previously presented independent claims, however, it does include the limitation that "each of the left and right swing arms compris[es] a housing through which the torsion bar extends" from (now cancelled) claim 22. Examiner indicated in the office action of December 23, 2003, that claim 22 was objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including the limitations of the base claim and any intervening claims. Claim 72 is similar to, although somewhat broader than, (now cancelled) claim 22, but is nonetheless believed to be patentable over the art of record at least for the same reason as claim 22.

Applicants will not therefore address the arguments of the Examiner made in the office action of December 23, 2003 as there is no need at this time. Applicants will do so in the future should the need arise. Applicants do not intend that their silence should, in any way, be viewed as acceptance of or agreement with the Examiner's remarks.

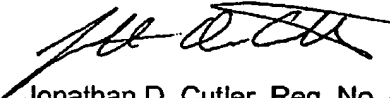
In view of the above amendments and remarks, the Applicant respectfully submits that all of the currently pending claims are allowable, including withdrawn claims 9-14 and 18-19 rejoinder of which is respectfully requested, and that the entire application is in condition for allowance.

Serial No. 09/632,971
Examiner: FLEMING, Faye M.
Art Unit 3618

Page 7 of 7

Should the Examiner believe that anything further is desirable to place the application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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